MINUTES FOR THE COURT OF APPEAL STATE OF CALIFORNIA SECOND APPELLATE DISTRICT

March 23, 2010

DIVISION ONE

Court convened at 9:00 a.m.

Present: Mallano, P.J., Rothschild, J., Chaney, J., Johnson, J. and S. Stahl, Deputy Clerk.

Each of the following:

B210889 People v. Salazar

B211020 People v. Shaw

B211029 People v. Garcia

B211475 People v. Rivera

B212057 People v. House

B212139 People v. Jara

B212529 People v. Beckley & Finn

B214532 People v. Enosa

B214747 People v. Annis

B214877 DCFS v. H.S.

B215513 DCFS v. L.W.

B215774 DCFS v. T.W. & W.B.

B216721 DCFS v. L.P. & J.P.

B218029 DCFS v. D.D.

B218498 In re Jimenez on H.C.

Argument waived, cause submitted.

DIVISION ONE (continued)

B210343 People

v.

Kurney & Blanche

Merits:

Argued by Heather Manolakas for appellant Blanche and by Shawn M. Webb, Deputy Attorney General, for respondent. Jean Ballantine waived argument for appellant Kurney. Cause submitted.

B221610 J.B.

v.

Superior Court, Los Angeles County

(Department of Children and Family Services, r.p.i.)

Merits:

Argued by Sophia Ali for petitioner Minor and by William D. Thetford, Deputy County Counsel, for real party in interest. Cause submitted.

B213005 People

v.

Lee & Hall

Merits:

Argued by Roberta Simon for appellant Lee, by Murray A. Rosenberg for appellant Hall and by Ana R. Duarte, Deputy Attorney General, for respondent. Cause submitted.

B212365 Yaghobyan

v.

Tran, et al.

Merits:

Argued by Tyron J. Sheppard for appellant Yaghobyan. Tony Forberg waived argument for respondent. Cause submitted.

DIVISION ONE (continued)

B214000 Boyd

v.

Rice

Merits:

Argued by Walter R. Huff for appellant and by John C. Torjesen for respondent. Cause submitted.

B209274 Roth

v.

Fryzer, et al.

Merits:

Argued by Steven C. Glickman for appellant, by respondent Sanford Passerman in propria persona, by Jason Cohen for respondent Cohen and by Mitchel B. Stein for respondent Fryzer. Cause submitted.

Chaney, J. leaves the bench.

B214657 Gonzalez

V.

All American Asphalt, et al.

Merits:

Argued by David M. Arbogast for appellant and by Shawn M. Larsen for respondents. Cause submitted.

Mallano, P.J. leaves the bench.

Chaney, J. returns to the bench.

DIVISION ONE (continued)

B211948 Gordon

v.

Kawamoto, et al.

Merits:

Argued by Steven C. Glickman for appellant, by Carolyn Oill for respondent Regents and by Barbara M. Reardon for respondent Dr. Tawfilis. Cause submitted.

Mallano, P.J. returns to bench.

B211227 Takayama

v.

Segel

Conservatorship of Takayama

Merits:

Argued by Karen J. Segel for appellant and by Lynard c. Hinojosa for respondent. Cause submitted.

Court adjourned.

B213664 Gevork Nazaretyan, et al.

(Certified for Publication)

v.

California Physicians' Service

The judgment is reversed, and the superior court is directed to enter a new and different order granting Blue Shield's motion for summary adjudication of the bad faith and punitive damages claims but denying in all other respects Blue Shield's motion for summary judgment or, in the alternative, summary adjudication. Appellants shall recover their costs of appeal.

Rothschild, Acting P.J.

We concur: Chaney, J.

Johnson, J.

DIVISION ONE (continued)

B215513 Los Angeles County, D.C.F.S.

V.

L.W.

Filed order dismissing appeal.

B210116 Advanced Choices, Inc.

v.

Department of Health Services

Filed order certifying opinion for publication.

DIVISION TWO

B208654 Amerigraphics, Inc. (Not for Publication)

v.

Mercury Casualty Company

The judgment is reversed insofar as it awards punitive damages of \$1.7 million. The matter is remanded to the trial court with directions to modify the judgment by reducing the award of punitive damages to \$500,000. In all other respects, the judgment is affirmed. Each party to bear its own costs on appeal.

Doi Todd, J.

We concur: Boren, P.J. Chavez, J.

B217672 People (Not for Publication)

v.

Louder

The Court:

The judgment is affirmed.

Boren, P.J., Doi Todd, J., Chavez, J.

DIVISION FOUR

B217850 Ray Jones (Not for Publication)

v.

Pat Tompkins

The appeal is dismissed.

Willhite, Acting P.J.

We concur: Manella, J.

Suzukawa, J.

B216008 Herring (Not for Publication)

v.

Parking Concepts, Inc.

The order denying Parking Concepts's motion to compel arbitration is affirmed. Herring shall recover his costs on appeal. Herring's motion for sanctions is denied.

Willhite, Acting P.J.

We concur: Manella, J.

Suzukawa, J.

B212437 People (Certified for Partial Publication)

v.

Sokolsky

Appellant's commitment order is modified to reflect the indeterminate term mandated by the SVPA (§ 6604) as modified by Proposition 83. The judgment is affirmed in all other respects.

Epstein, P.J.

We concur: Willhite, J.

Suzukawa, J.

DIVISION SIX

B210029 Alvino (Not for Publication)

v.

Merlo

The judgment is affirmed. Respondent shall recover costs on appeal.

Perren, J.

We concur: Gilbert, P.J.

Coffee, J.

DIVISION SEVEN

B220625 S. N. (Not for Publication)

v.

Superior Court, Los Angeles County

(Los Angeles Department of Children & Family Services, r.p.i.)

The petition is denied.

Perluss, P.J.

We concur: Woods, J.

Jackson, J.

B210112 JK Consultants (Not for Publication)

V.

X, Inc., dba One Stop Shop

The post-judgment order awarding attorney fees and costs is affirmed. JK Consultants is to recover its costs on appeal.

Perluss, P.J.

We concur: Woods, J.

Zelon, J.

DIVISION SEVEN (continued)

B218897 Los Angeles County, D.C.F.S. (Not for Publication)

v.

Stephanie G.,

The orders of the juvenile court under section 366.26 are conditionally affirmed. The matter is remanded to the juvenile court for compliance with the notice provisions of ICWA and for further proceedings not inconsistent with this opinion.

Perluss, P.J.

We concur: Woods, J.

Zelon, J.

B216408 Los Angeles County, D.C.F.S.

v.

Charles P., Patricia A.,

Filed order modifying opinion. Petition for rehearing is denied. (No change in the judgment)

DIVISION EIGHT

B214563 William Mendoza (Certified for Publication)

v.

ADP Screening and Selection Services, Inc.,

The order entered on January 9, 2009, dismissing Mendoza's action, is affirmed. Costs on appeal are awarded to SASS.

Bigelow, P.J.

We concur: Rubin, J.

Lichtman, J. (Assigned)

DIVISION EIGHT (continued)

B221409 Santillan

V.

Roman Catholic Bishop of Fresno

B221411 Santillan

v.

Roman Catholic Bishop of Fresno

B221411 consolidated with and refiled under B221409.

B206569 People

v.

Sanders

Filed order certifying opinion for publication, denying rehearing and

modifying opinion. (No change in judgment)

B196896 Palmer

v.

Thompson

Filed order modifying opinion. Petition for rehearing is denied. (No

change in the judgment)